

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----))	
JAMES PIERCE,))	
)	
Plaintiff,))	ECF Case No. 08-civ-1948 (SCR)
)	
- against -))	
)	
HIGHLAND FALLS-FORT))	NOTICE OF DEFENDANTS'
MONTGOMERY CENTRAL SCHOOL))	MOTION TO DISMISS
DISTRICT, PHILIP B. ARBOLINO, former))	PURSUANT TO
Superintendent of Schools, and LOUIS))	FED. R. CIV. P. 12(b)(6)
TROMBETTA, High School Principal,))	
sued in their individual capacities,))	
)	
Defendants.))	
-----))	

PLEASE TAKE NOTICE that upon the Declaration of Lisa L. Shrewsberry dated March 31, 2008, the exhibits annexed thereto, the accompanying memorandum of law and the prior pleadings and proceedings herein, defendants will move this court on a date to be set by the court, before the Honorable Stephen C. Robinson at the Federal Courthouse, 300 Quarropas Street, White Plains, New York, for an order dismissing plaintiff's complaint pursuant to Fed. R. Civ. P. 12(b)(6), with prejudice, together with such other relief as this court deems just and proper.

Dated: Hawthorne, New York
March 31, 2008

TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP

By:


Lisa L. Shrewsberry (LS 1597)

Veronica L. Reed (VR 1790)

Mid-Westchester Executive Park

Seven Skyline Drive

Hawthorne, New York 10532

(914) 347-2600

Attorneys for Defendants

TO: Helen G. Ullrich (HU 6597)
Bergstein & Ullrich, LLP
15 Railroad Avenue
Chester, New York 10918
(845) 469-1277
Attorneys for Plaintiff